



## HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

### March Minutes

Thursday, March 5, 2020; 7:00 p.m.

The March meeting of the Historic Preservation Commission was held on Thursday, March 5, 2020 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the February minutes. Mr. Reich seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Clifford

#### PLANS FOR APPROVAL

##### **Consent Agenda**

1. MA-19-44c – 3715 Old Columbia Pike, Ellicott City

##### **Regular Agenda**

2. HPC-20-04 – 6040 Old Washington Road, Elkridge
3. HPC-20-05 – 1485 Underwood Road, Sykesville, pending HO-1173
4. HPC-20-06 – 3877 College Avenue, Ellicott City
5. HPC-20-07 – 8221-8225 Main Street, Ellicott City
6. HPC-20-08a – 3880 Ellicott Mills Drive, Ellicott City
7. HPC- 20-08b – 3880 Ellicott Mills Drive, Ellicott City
8. HPC-20-09 – 8221-8225 Main Street, Ellicott City
9. HPC-20-10c – 8221-8225 Main Street, Ellicott City
10. HPC-20-11 – 8307 Main Street, Ellicott City
11. HPC-20-12c – 8307 Main Street, Ellicott City
12. HPC-20-13 – 8137 Main Street, Ellicott City
13. HPC-20-14c – 8137 Main Street, Ellicott City

#### OTHER BUSINESS

1. Advising Howard County Historic Sites Inventory Updates
  - a. Adding HO-1173 Bowling Green and HO-22-1 Doughoregan Manor Tenant Farm 43
  - b. Correcting address and historic names entries from existing properties listed on the Inventory; noting when properties have been demolished.
2. Kings Forest Section 106 Updates

## CONSENT AGENDA

### MA-19-44c – 3715 Old Columbia Pike, Ellicott City

Final tax credit approval.

Applicant: Michael Koplow

**Request:** The applicant, Michael Koplow, requests final tax credit approval for work that was pre-approved in case MA-19-44c for 3715 Old Columbia Pike, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1900. The applicant was pre-approved through the Executive Secretary Pre-Approval process and Minor Alterations process to replace the roof.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$16,138.00 was spent on eligible, pre-approved work and seeks \$4,034.00 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the tax credit as submitted for \$4,034.00 in final tax credits.

**Testimony:** Mr. Shad asked if there was anyone in the audience who had anything to add or correct to the case or anyone that wanted to testify about the case. There was no one in the audience who wanted to testify.

**Motion:** Mr. Reich moved to approve. Ms. Tennor seconded. The motion was unanimously approved.

## REGULAR AGENDA

### HPC-20-04 – 6040 Old Washington Road, Elkridge, HO-803

Tax credit pre-approval for repairs.

Applicant: Luke Filar

**Request:** The applicant, Luke Filar, requests tax credit pre-approval to make structural and other repairs at 6040 Old Washington Road, Elkridge, HO-803.

**Background and Site Description:** This property is not located in a historic district, but is listed on the Historic Sites Inventory as HO-803, part of the Old Washington Road Survey District in Elkridge. The Inventory form explains that "the Old Washington Road Survey District is significant under Criteria A and C for its association with broad patterns in American history and its vernacular architecture ranging in date from 1850 to 1953. This district is located immediately to the west of the historic settlement of Elkridge Landing and their histories are intimately connected. This district derives its primary significance from its role as a commuter suburb related first to the railroad and later to the automobile. It also contains a good collection of vernacular architecture, mostly domestic, exhibiting the stylistic trends of 100 years of building."

The Inventory form states that this house was probably built around 1880 and is a two-story, five-bay frame Folk Victorian that has been heavily modernized with vinyl siding and vinyl replacement windows. The Inventory form states the most interesting feature on the house is the centered second story bay window with a tent roof vertically aligned above the front door. The Inventory also explains that the side gables "used to contain small arched windows, but they have been replaced with rectangular vinyl units."

In December 2013, case HDC-13-56, the property was part of an Advisory case before the Commission for a 5-lot subdivision that was going to create three buildable lots behind the historic house, one lot for the historic house, and one open space lot for the front yard. The house has since been purchased by new owners, who are in the process of rehabilitating it.

**Scope of Work:** The applicant proposes to make the following repairs and seeks tax credit pre-approval (20.112 and 20.113) for the following work:

- 1) Replace existing vinyl windows with Andersen series vinyl clad wood window.
- 2) Remove aluminum exterior porch ceiling and replace with tongue and groove cedar wood beadboard ceiling planks.
- 3) Install return vents on the second floor, which requires a larger AC unit and furnace. Replace AC and furnace. The contractor will run a central return vent from the basement up to the second floor and there will be a vent in the ceiling at the top of the stairs. The duct work will be connected to the furnace and will run along the side of the chimney all the way up. The opposite side of the chimney already had a vent running up and it was boxed in with drywall. In order to make it look symmetrical they had left the same space open on the side where the new return will be run and no flooring needs to be cut.
- 4) Rewire all electrical in the house and replace the electric panel to comply with the Building Code. Most of the existing electrical in the house is not grounded.

#### **HPC Review Criteria and Recommendations:**

##### **Section 20.112 (b)(4)(ii), Eligible work includes:**

- a. *The repair or replacement of exterior features of the structure;*
- b. *Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- c. *Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code.*

**Section 20.112(b)(5) Qualified expenses** means the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.

##### **The Secretary of the Interior's Standards for Rehabilitation**

**Standard 6** - *Deteriorated features shall be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence."*

All of the windows on the house are non-historic vinyl replacement windows that are in poor condition and are not operable or failing. The replacement with a vinyl clad wood window would be eligible for tax credits 20.112 and 20.113.

The replacement of the aluminum porch ceiling with a cedar beadboard is more historically appropriate and would be eligible for 20.112 and 20.113 tax credits. Although not referenced in the application, Staff recommends the applicant add the repair and in-kind replacement of any rotten porch railings, balusters and other wood work as needed, along with prep and repainting of the porch. These items would also qualify for 20.112 and 20.113 tax credits.

Item 3, the installation of return vents and the replacement of the HVAC system is eligible for the 20.113 tax credit, as an improvement to the property.

Item 4, the replacement of the electrical wiring and new electrical panel, is eligible for the 20.113 tax credit, as an improvement to the building. The Commission should determine if this qualifies for the 20.112 tax credit, as *“work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing”* since the existing system is not grounded or Code compliant.

**Staff Recommendation to the HPC:** If the Commission determines the electrical work qualifies for 20.113, Staff recommends the HPC approve the application as submitted for 20.112 and 20.113 tax credit pre-approval.

**Testimony:** Mr. Shad asked if there was anyone in the audience who had questions or wanted to speak to the case. There was no one in the audience that wanted to speak. Mr. Shad swore in Luke and Mallory Filar. Mr. Shad asked if the applicants had any information to add to the staff report. The applicants did not have anything to add.

Mr. Reich asked if the new windows would match the existing pattern. Mr. Filar said it would. Mr. Reich said the case was pretty straight forward, however the Commission has never approved electric before. Ms. Tennor said that if the electrical work needed was not dealt with it would pose a fire hazard and the Commission would risk the historic nature of the house. The Commission discussed how original or faulty wiring could impact safety issues.

**Motion:** Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC-20-05 – 1485 Underwood Road, Sykesville, pending HO-1173**

Tax credit pre-approval 20.112 and 20.113

Applicant: Indian Cave Farm LLC, Ann Jones

**Request:** The applicant, Indian Cave Farm LLC (Ann Jones), requests tax credit pre-approval to make repairs at 1485 Underwood Road, Sykesville.

**Background and Site Description:** This property is pending adoption to the Historic Sites Inventory and will be listed as HO-1173. The Inventory form provides the following description of the house:

The front half of the house that the Ridgelys rebuilt in the 1880s is a center-passage, single-pile plan that was still very common for farmhouses in the last quarter of the nineteenth century, and it has a central gabled wall dormer that, though introduced several decades earlier, did not become popular in Howard County until this time period. The house originally had a porch across the front of the first story that the jib windows provided access to, and it can be seen in early family photographs. The porch had square boxed posts and railings with crossed balusters between vertical ones.



In July 2019 the applicant received tax credit pre-approval from the Commission to make several repairs to the house (HPC-19-38).

**Scope of Work:** The applicant proposes the following work:

- 1) To replace all of the existing windows (rather than repair from the original approval).
- 2) To make structural improvements to the beams in the house for tax credit pre-approval.

The application explains that the windows have been determined to be too rotted and improperly repaired in the past to salvage and restore. As shown in the sketch in the application, the lower front façade windows (windows 1, 2, 3 and 4) will be custom made wood Parrett windows to match the existing windows, 36 inches wide by 102 inches tall.

The second-floor front façade windows (windows 12, 13, 14, 15, 16 and 17) will be replaced with Anderson 400 series wood windows to match the existing dimension and sash arrangement, as specified in the application form. The remainder of the windows on the house will be replaced with the Anderson 400 series windows to match the existing.

The applicant also seeks tax credit pre-approval (20.112 and 20.113) for needed structural repairs. The application states the following:

1. The center beam supporting the first floor is undersized. The contractor recommended reinforcing it with two steel C8x11.5 C-channels through bolted. The channels should bear on the walls/chimney foundation, or perhaps posts.
2. The north addition has two 7 ¼ joists at 16-inches on center, spanning about every 16 feet. These should have new 2x8 scabbed to them, full length. The north end does not need to bear, but the south end should clip to the 6x6 plate on top of the stone.
3. For the second floor, the joists are 3x10 at 24 inches on center. Place new support beams in the east and west bays, directly north and south of the chimneys (bearing either on the chimney if ok by Code) or on the center hallway wall posts under the beams. The beams should be three 9 ½ LVLs.

#### **HPC Review Criteria and Recommendations:**

##### **Section 20.112 (b)(4)(ii), Eligible work includes:**

- a. *The repair or replacement of exterior features of the structure;*
- b. *Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- c. *Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code.*

**Section 20.112(b)(5) Qualified expenses** means the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.

##### **The Secretary of the Interior's Standards for Rehabilitation**

**Standard 6** - Deteriorated features shall be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence."

The window replacements are eligible for the historic property tax credits program, 20.112 and 20.113. The replacement windows will be wood windows, to match the existing historic arrangements and proportions. The replacement complies with the Secretary of the Interior Standards, Standard 6 noted above, as required by Code.

The structural repairs comply with the Code provisions, as the work is necessary to maintain the physical integrity of the structure and will assist in the restoration of the structure and does not conflict with the Secretary of the Interior's Standards for Rehabilitation.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted for 20.112 and 20.113 tax credit pre-approval.

**Testimony:** Mr. Shad asked if there was anyone in opposition to the application or anyone that wishes to speak. No one in the audience spoke. Mr. Shad swore in Ann Jones. Mr. Shad asked if Ms. Jones had any information to add to the staff report. Ms. Jones said she did not have anything to add but informed the Commission that the house's German lap siding was being retained. Mr. Reich asked if the windows had shutters originally. Ms. Jones said the windows did have shutters and that she will be coming back to the Commission with an application for shutters and the porch.

**Motion:** Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-20-06 – 3877 College Avenue, Ellicott City**

Certificate of Approval for exterior alterations to stone retaining wall.

Applicant: Michael Smith

**Request:** The applicant, Michael Smith, requests a Certificate of Approval (partially retroactive and partially for work not yet completed) to make exterior alterations to a stone retaining wall and remove two trees at 3877 College Avenue, Ellicott City.

**Background and Site Description:** The stone wall is located along College Avenue, within the Ellicott City Historic District, in front of the house at 3877 College Avenue. The trees are most likely associated with the Hazelhurst estate, which contains the historic house, Hazeldene/Lilburn (HO-353). Hazeldene/Lilburn was constructed using massive, ashlar granite blocks in the Gothic Revival Style. According to a history compiled with Historic Ellicott City, Inc., the original Hazelhurst estate consisted of over 2000 acres and the house was constructed in 1851. This entry up College Avenue originally contained an entry gate (a historic feature which the current owner moved elsewhere on his property to protect from vandalism). The oak trees appear to be purposely planted along College Avenue, as an allée along the entry to the Hazelhurst house (HO-353). There are other oaks of a similar size along the roadway.

The application explains that the stone walls have been hit numerous times over the years by vehicles. The applicant has been working with the Department of Public Works (DPW) on a plan for the roadway and has contacted HPC staff over the last few years to discuss the wall and potential plans. On December 9, 2019, HPC staff, DPW and the applicant met on-site to review the work that had been done and the work that was yet to be completed due to the trees that needed to be removed.

**Scope of Work:** The applicant seeks retroactive approval for the re-alignment of approximately 80 linear feet of stone wall that has been moved back between one and six feet from the roadway. The applicant also seeks approval to finish moving the remainder of the stone wall, which consists of approximately 65 linear feet that would be moved back four feet and gradually taper to a zero-foot setback at Ross Road. The applicant seeks approval to remove two oak trees in order to complete this work. The application states that the tree root zone area would be impacted by the wall relocation, which would cut through the root zone in order to pull the wall back four feet at this location. Tree A, shown in Figure 8, has a circumference of 112 inches, with a diameter of 35.67 inches. Tree B, shown in Figure 8, has a circumference of 126 inches, with a diameter of 40.13 inches.

**HPC Review Criteria and Recommendations:**

**Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

- 1) Chapter 9.B explains, "...Along other streets, however, large mature trees remain an important part of the streetscape. Some, such as the silver maple trees along upper Church Road (planted in 1888), are similar in age to nearby historic buildings. These and other trees that are tied to the history of the area should be carefully protected."
- 2) Chapter 9.B recommends, "Retain landscaping patterns that reflect the historic development of the property."

As mentioned above in the background, the proposed trees to be removed are most likely associated with the original Hazelhurst estate and historic house, Hazeldene/Lilburn (HO-353). The oak trees appear to be purposely planted along College Avenue, as an allée along the entry to the Hazelhurst house (HO-353). There are other oaks of a similar size along the roadway.

- 3) Chapter 9.B recommends against the "removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structure."

The trees appear to be in good health; there has been no evidence presented that indicates otherwise.

- 4) Chapter 9.B recommends, "Retain mature trees and shrubs. Provide for their replacement when necessary."

The application does not indicate if there is a plan to plant new trees and shrubs. While this area is adjacent to wooded side yard, a site visit in July 2019 (HPC-19-36) to review trees to be removed, revealed at least a dozen or more dead trees. In 2019, HPC-19-36 was approved to remove four trees in this vicinity. There were two additional trees to be removed at this time that did not require approval. The removal of the current trees, in addition to the six removed last summer, and the existing dead trees, will result in a change of character if there is no replanting plan.

**Section 20.112 (b)(4)(i) – Eligible Work**

- 5) Section 20.112 of the Code states that eligible work is "work done on an eligible property after the owner receives initial approval of an application for a certificate of eligibility."

The relocation and rebuilding of the wall was done without approval and is not eligible for tax credits.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine if the application complies with the Guidelines and approve or deny accordingly. If the Commission approves the removal of the trees and relocation of the remainder of the wall, Staff recommends the HPC consider a replanting plan to mitigate the effect of those alterations.

**Testimony:** The application was withdrawn by the applicant.

**Motion:** There was no motion as the application was withdrawn.

**HPC-20-07 – 8221 Main Street, Ellicott City**

Pre-application advice for sign.

Applicant: Master's Ridge LLC

**Request:** The applicant, Donald R. Reuwer Jr., requests pre-application advice regarding the design of a sign for 8221 Main Street, Ellicott City.

**Background and Site Description:** This building is located in the Ellicott City Historic District. According to SDAT, the building dates to 1930. The Design Guidelines explain that this building design was influenced by the Art Deco style through the use of the glazed terra cotta panels, steel casement windows and curved storefront. The building was originally constructed as a movie theater, and over the years has also operated as a children's theater, performing arts space, photography studio, bookstore and retail space. The theater marquee sign still exists on the building but has been modified over the years. The current tenant in the building is Miss FIT, a fitness space for women. The tenant has had two temporary vinyl banners covering the historic theater sign board, but permanent signage is needed.

The previous sign for Precious Gifts, was approved in 1997 (case HDC-97-36) to replace the Ellicott Theatre sign.

**Scope of Work:** The applicant requests pre-application advice from the Commission for the design of permanent signage. The application explains that the tenant would like to use the marquee to promote business and town events. The application further explains that the preferred use of the marquee would be to make it look more like it did in the 1940s, restoring the word "Ellicott" above the marquee and utilizing the marquee with changeable letters to promote special events.

The current tenant would also like to install a sign on the building. Advice on the design and placement of this sign would be beneficial to ensure it does not detract from the historic marquee and blends well with the building façade and unique architectural elements.

The front façade of the building also contains a metal poster frame, which most likely originally held movie posters. Advice on the use of this frame would also be beneficial.

**HPC Review Criteria and Recommendations:** Chapter 11 provides the relevant recommendations for signage. This case involves the restoration/possible recreation of a historic sign, while balancing the need for a new business sign for the existing tenant. The historic movie theater marquee sign is a large, angled, double-sided sign. Originally the word "Ellicott" was located where the top board currently is and was spelled with freestanding letters. The area where the current Miss Fit banner is located contained information on the movies to be shown. The building consists of two distinct areas, the storefront to the west and the movie theater entrance to the east. For the purpose of this application, the movie theater marquee side will be referred to as Side A and the storefront as Side B.

In the past, the previous building owner had their business sign on the marquee, but due to the large scale and proportions of the marquee, that left the sign with a lot of dead white space, similar to that currently seen in Figure 15, with the temporary Miss FIT banner.

#### **Chapter 11.A: Signs, General Guidelines**

- 1) Chapter 11.A recommends, *"use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade."*

The Miss FIT sign only utilizes three colors; black, white and pink. However, the white background stands out in stark contrast to the ivory/yellow/off-white building façade tiles. A reversal of colors, such as a dark background, with light text, could result in a sign that better complies with the Guidelines and is more coordinated to the building façade. Otherwise, an ivory background would better match the building facade.

#### **Chapter 11.B: Signs, Commercial Buildings**

- 2) Chapter 11.B recommends, *"incorporate the sign into the façade of the building. Sign should fit within the lines and panels of the façade as defined by the building frame and architectural details."*

There are panels in the transom area over the storefront windows on Side B that could be utilized for signage.

#### **Chapter 11.B: Signs, Commercial Buildings**

- 3) Chapter 11.B explains, *"Most buildings should not have more signs than uses or occupants. In a few cases a location may call for two signs for a business. When the two signs are on the same building façade, the best combination will often be one flat-mounted or window sign and one projecting sign. Multiple signs need to be coordinated so that the cumulative effect does not clutter or obscure the building façade."*
- 4) Chapter 11.B recommends, *"In most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign."*

In this case, the existing sign is a historic sign, not related to the business. The second sign that is needed would be directly related to the business. Because the existing historic sign is a projecting sign, the new business sign should be flat mounted, to comply with the Guidelines and to avoid competing with the historic marquee sign.

The flat mounted sign should be no larger than 8 square feet in area, to comply with the Guideline recommendations.

**Staff Recommendation to the HPC:** Staff recommends the HPC provide advice on the restoration of the marquee sign, design and placement of a new business sign, and design and use of the historic metal poster frame.

**Testimony:** Mr. Shad asked if anyone in the audience wanted to make comments other than the applicants. There was no one in the audience that wanted to speak. Mr. Shad swore in Kim Egan, legal counsel representing Masters Ridge and Joseph Rutter, a member representing Masters Ridge. Mr. Shad asked if the applicants had any comments on the staff report. Mr. Rutter said the concept of the application was to have the marquee sign go back to the original design and having "Ellicott" above the sign board. The sign board would be used to advertise Ellicott City events. Ms. Egan said the existing poster frame could advertise events as well.



Ms. Tennor said she was glad to hear the marquee would not be used to identify the tenant. Ms. Tennor said the theater is an important visual building on Main Street. Ms. Tennor suggested the applicants engage the services of an environmental graphic designer who has worked with retail signs in historic areas, as the designer would be the most helpful in bringing back the 1940s era marquee, and provide suggestions for how to utilize the poster case.

Ms. Egan asked if Ms. Tennor was suggesting a historic graphic designer or an environmental graphic designer. Ms. Tennor clarified she was suggesting an environmental designer that has experience with historic preservation and that the building needs a comprehensive study, including how to use the poster case. Ms. Tennor suggested using a visual pun on the theater as advertising upcoming events as coming attractions. Ms. Tennor said without having a comprehensive study on the building she did not feel it was appropriate to have a discussion on paint without all the information on the design elements.

Mr. Reich asked if there would be neon embedded into the edges of the sign. Mr. Rutter said he thinks there is neon, but he is not completely sure. Ms. Tennor asked if the poster casing was accessible from the building. Mr. Rutter said the poster casing was only accessible from the street. Mr. Reich said restoring the marquee to its original look is a great idea, as the theater is the only Art Deco building in Ellicott City.

Ms. Holmes asked the Commission if they agreed with staff recommendations on page 13, Figure 16 for the Miss Fit business sign locations. Ms. Tennor said the building in Figure 16 is symmetrical so there needs to be a symmetrical solution. Ms. Zoren asked if it was possible to have one sign in the middle of the front façade. Ms. Holmes explained the location Ms. Zoren referenced was a transom window, but that the two suggested locations were wood panels as they had previously held window AC units. Mr. Rutter said it would be difficult to find someone to do metal work to replace the metal grids that were removed to put the AC unit in. Ms. Egan asked if the Commission was advising the applicants seek expert guidance and come back. Ms. Tennor said yes. Mr. Reich said anywhere on the transom was fine for the Miss Fit signs as long as they complied with the eight square foot size requirement and three color requirement.

Mr. Reich said that the applicants should look into the theaters front entrance as he did not think T-111 was a good choice for the doors and requested reconsideration of the materials. The applicants asked if Mr. Reich was referring to the ticket booth. Mr. Reich asked if the ticket booth had been closed off. Mr. Rutter said the doors to the ticket booth had been painted and sealed. Mr. Reich asked if it was possible to treat the side of the ticket booth below the marquee to have an art deco look. Ms. Tennor said the windows were painted black. Ms. Egan said the windows were painted a rust color to match the faux column. Ms. Holmes explained to the applicants that Mr. Donald Reuwer recently asked her if his company had submitted for tax credit pre-approval for the façade repairs, but Ms. Holmes said that they have not received any applications for façade repairs for this building.

Mr. Shad swore in Trae Reuwer. Mr. Reuwer explained that the ticket booth is solid with a two-hour core wall and while there is glass in the booth it cannot be used now. Ms. Tennor asked if there will be lighting under the marquee. Mr. Reuwer said recessed lighting in the ceiling panels exists. Mr. Reuwer and Mr. Reich discussed fire code requirements and the need for a two-hour core wall in the ticket booth.

Ms. Zoren told the applicants that when they have sign details they should come back before the Commission and asked the applicants to provide a lot of details because this sign is different from any other sign the Commission has seen in the Historic District.



**Motion:** There was no motion this application came for advisory comments only.

**HPC- 20-08a – 3880 Ellicott Mills Drive, Ellicott City, HO-315**

Certificate of Approval for exterior alterations.

Applicant: Lisa Wingate (agent for Erik and Laura Steensen)

**Request:** The applicant, Lisa Wingate on behalf of the Erik and Laura Steensen, requests a Certificate of Approval to make exterior alterations at 3880 Ellicott Mills Drive, Ellicott City.

**Background and Site Description:** The property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-315, the George Burgess House. According to SDAT the building dates to 1800, but the Historic Sites Inventory indicates the building was most likely constructed in the 1840s.

The property owners have been before the Commission for several other cases regarding the repairs and alterations to this house and site (10-21, 11-42, 12-14, 12-22, 12-44, 13-13, 13-14, 13-48, 13-49, 15-10, 15-45, 15-53, 16-59, MA-17-14 and 17-45). The most recent case, HPC-17-45 was submitted for the July 2017 meeting, but was withdrawn prior to the meeting. The HPC-17-45 application proposed the construction of a pool and other site features, similar to the current application.

All photos for this staff report can be found in Appendix A.

**Scope of Work:** The applicant proposes to make alterations at the front of the property along Ellicott Mills Drive and along the driveway to the house, as described below:

- 1) **Stone Pillar** - Construct a single stone pillar on the right side of the driveway, set back approximately 5 feet from the sidewalk. The stone pillar will be approximately 22" x 22" x 48" H, on top of a concrete footer. The pillar will be faced with Carderock stone, consisting of mostly grays with some brown tones, to match the existing stone retaining walls along the driveway and parking area. A bluestone cap will be on top of the pier, approximately 2 inches thick and will overhang the pier about 1 to 2 inches on each side. Refer to Figure 20.
- 2) **Address Plaques** - Install two black aluminum address plaques on the front of the pier. The upper plaque will be approximately 16 inches wide by 11 inches high and will read "Welcome" and have the image of a pineapple below. Underneath the pineapple, will be the main house number "3880". The second plaque will be 15.75 inches wide and 6 inches high and read "3884", the address of the barn. All lettering will be gold and raised. A 12-inch-wide hardscape lighting strip will be installed under the capstone to illuminate the address at night. Refer to Figure 22.
- 3) **Custom Art Work** - Install a custom made 15-inch-high art piece on top of the bluestone cap to reference the historic site's industrial heritage. The art piece will consist of a round, antique grinding stone, set into the bluestone cap. A toothed metal gear (non-rusting, brown in color), referencing the gears used in local water powered mills will be attached. A black powdered coated metal sculpture that is designed based on a historic door latch from the house, will be installed and subtly backlit at night using a puck-shaped LED light. The electrical outlet on the pillar will be on the back side of the column, not visible from the public right-of-way.
- 4) **Driveway Path Lights and Spot Lights** – Install lights along the driveway, to consist of:
  - a. one Kichler dome path light (Kichler lighting 15857AZT30R- Pierced Dome, 22.25 inches high by 3.8 inches wide, LED 3000K) every 17 feet between the proposed address column and the top of the driveway, on the north side (right if looking from street) of

the driveway, for a total of seven lights. The dome path light will not be placed in front of the rock outcropping halfway up the driveway. Refer to Figure 25.

- b. In front of the rock outcropping, install three small black LED spotlights to provide a cross-lit illumination at night (Phillips Hue 2.8 inches wide by 7.6 inches high). Refer to Figure 24.
- 5) **Driveway Freestanding Pole Light** - Install a single motion-sensor Hepworth Black Finish lamp post that is 76 ¾ inches tall with a 19-inch Kichler Ashland Bay zinc post light on top that will be located on the east side of the parking. The application notes the light will not be visible from Ellicott Mills Drive. Refer to Figures 26 and 27.
- 6) **Kitchen Porch Step Lights** – Install one recessed louvered, down lit step light, centered on every other step (three of six steps) on the kitchen porch staircase. White fixtures 4-inches wide by 2-inches, set into the risers. Refer to Figures 28 and 29.
- 7) **Main House Porch Step Lights** - Install two lights every other wider front porch step. White fixtures 4-inches wide by 2-inches high, set into the risers. Refer to Figures 30 and 31.

#### **HPC Review Criteria and Recommendations:**

##### Stone Pillar, Address Plaques, Custom Art (Items 1, 2, 3)

##### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 1) Chapter 9.D recommends, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.

**Stone Pillar (Item 1)** - The stone address pillar will be faced with natural stone that has been used elsewhere on the property. The stone pillar will also be compatible with the setting, as the historic house is constructed of stone and brick, and there are natural stone outcroppings along the driveway.

**Address Plaques (Item 2)** - The address plaques will be a black metal with gold detailing, which is compatible with other address plaques on the building and nearby historic buildings.

**Custom Art (Item 3)** - The use of the millstone as a piece of art is compatible with the historic building, which was associated with the historic Burgess Mill. Prior to the 2018 flood, a local historic millstone was located in a park at the corner of Main Street and Ellicott Mills Drive.

##### Driveway Path Lights and Spot Lights and Freestanding Pole (Items 4a/b and 5)

##### **Chapter 9.E: Landscape and Site Elements, Outdoor Lighting Fixtures**

- 2) Chapter 9.E explains, “in residential neighborhoods, low level lighting along driveways or attached to buildings is appropriate.”
- 3) Chapter 9.E explains, “New lighting fixtures do not need to replicate the style of historic lamps. Nevertheless, they should be simple and unobtrusive and scaled for the pedestrian environment.”
- 4) Chapter 9.E recommends, “choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material.”
- 5) Chapter 9.E recommends, “use freestanding lights that are no more than six feet high for individual residential properties.”
- 6) Chapter 9.E recommends, “to the extent possible, direct or shield lighting so that it does not create glare or spill onto neighboring properties. Design lighting to provide a reasonable level of brightness for the intended purpose.”

**Driveway Path Lights (Item 4a)** – The proposed dome path lights, spaced every 17 feet, comply with the Guidelines that the use of low-level lighting along driveways is appropriate. The fixtures will be dark metal, complying with the Guidelines, and will match other fixtures on the property.

**Driveway Spot Lights (Item 4b)** – The proposed spot lights, to create a cross-lit illumination on the rock outcropping on the hillside do not completely comply with Guideline recommendation #6 above. The Phillips Hue product is an LED product that has adjustable levels of brightness, but can be bright at the maximum setting. The product also comes with multi-colored lights and the spec provided was not sufficient to determine which product is proposed to be used. The Guidelines recommend shielding lighting so that it does not create glare and providing a reasonable level of brightness for the intended purpose. Provided that the lighting is yellow dimmed lighting and not a bright white/blue or other color of lighting, the spot lights could be appropriate. The light fixtures are black, which comply with the Guidelines. While the fixtures are modern in appearance, they are simple and unobtrusive.

**Driveway Freestanding Pole Light (Item 5)** - The proposed freestanding light post will be 6.3 feet, with the lantern on top adding another 19" inches in height, for a total of 7.91 feet. The height of the fixture does not comply with the Guidelines. However, the fixture will be positioned at the top of the driveway in a location that will not be visible from the public right-of-way. The location of the light will be on a hillside, so it is unclear if the hill will be graded to accommodate the light. The light otherwise complies with the Guidelines and is constructed of dark metal, which is in a style compatible with the historic structures.

#### Kitchen Porch Steps Lights and Main House Porch Step Lights (Items 6 and 7)

##### **Chapter 9.E: Landscape and Site Elements, Outdoor Lighting Fixtures**

- 7) Chapter 9.E recommends, "place attached lighting fixtures in traditional locations next to or over a door."
- 8) Chapter 9.E recommends, "choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material."

##### **Chapter 4: The Secretary of the Interior's Standards, Standard 2**

- 9) The historic character of a property shall be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property shall be avoided.

##### **Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies**

- 10) Chapter 6.F recommends against, "adding or replacing porch features using material not appropriate to the building's style."

**Kitchen Porch Step Lights (Item 6)** – The frame house addition and attached porch are modern additions and are not historic. The orientation of the kitchen porch steps is such that the railing is more visible upon approach than the staircase risers. The Guidelines recommend attaching light fixtures in traditional locations, such as next to or over a door. The addition of the white recessed step lights does not comply with the recommendation, but would not adversely impact the structure since it would be applied to modern steps on a modern addition that are not highly visible. In this location, the step lights would be unobtrusive. The installation of the step lights on the modern steps/addition comply with the Standard #2 from the Secretary of the Interior Standards and will not affect the historic character or alter features that characterize the property.

**Main House Porch Lights (Item 7)** – The addition of step lights on the front porch of the historic house does not comply with the Secretary of the Interior Standards, Standard #2 referenced above or the Guidelines. This portion of the front porch is the most visible view of the historic structure. The addition of modern step lights on the front porch steps is not an appropriate alteration to the historic structure.

Additional lighting could be achieved through spotlights placed in the garden beds next to the steps or by adding/changing light fixtures next to the front door.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve: Item 1 (Stone Pillar), Item 2 (Address Plaques), Item 3 (Custom Art), Item 4a (Driveway Path Lights), Item 5 (Driveway Freestanding Pole Light), Item 6 (Kitchen Porch Step Lights).

Staff recommends the HPC determine if Item 4b (Driveway Spot Lights) and Item 7 (Main House Porch Step Lights) comply with the Guidelines and approve or deny accordingly.

**Testimony:** Mr. Shad swore in Lisa Wingate and Laura Steensen. Mr. Taylor asked if the applicants were withdrawing Items 6 and 7 of the application. Ms. Wingate said the applicants would be tabling Items 6 and 7, the step lights for the porch and main house. Ms. Wingate clarified that Item 4b, the driveway lights, would be dim and not colored. She said the intent of the lights is to be a dim highlight of the rock outcropping. Ms. Wingate brought a model for Item 3, the custom art, to show the Commission what it would look like.

Mr. Roth asked what the prongs were around the model. Ms. Wingate said the prongs were a gear. She said the intent was to reference through art what happens in a mill, as this property was part of the mill. Ms. Tennor asked where the mill stone would be located. Ms. Wingate said the mill stone is standing on end and sunken into the top of the pillar.

Mr. Roth discussed the proposed lightening and the applicability of the guidelines with the applicants, Commission and Staff.

**Motion:** Mr. Reich moved to approve the application as submitted, omitting Items 6 and 7. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC- 20-08b – 3880 Ellicott Mills Drive, Ellicott City, HO-315**

Certificate of Approval for exterior alterations.

Applicant: Lisa Wingate (agent for Erik and Laura Steensen)

**Request:** The applicant, Lisa Wingate on behalf of the Erik and Laura Steensen, requests a Certificate of Approval to make exterior alterations at 3880 Ellicott Mills Drive, Ellicott City.

**Background and Site Description:** The property is located in the Ellicott City Historic District and is listed on the Historic Sites Inventory as HO-315, the George Burgess House. According to SDAT the building dates to 1800, but the Historic Sites Inventory indicates the building was most likely constructed in the 1840s.

The property owners have been before the Commission for several other cases regarding the repairs and alterations to this house and site (10-21, 11-42, 12-14, 12-22, 12-44, 13-13, 13-14, 13-48, 13-49, 15-10, 15-45, 15-53, 16-59, MA-17-14 and 17-45). The most recent case, HPC-17-45 was submitted for the July 2017 meeting, but was withdrawn prior to the meeting. The HPC-17-45 application proposed the construction of a pool and other site features, similar to the current application.

All photos for this staff report can be found in Appendix B.

**Scope of Work:** The applicant proposes to construct a pool, a 6-foot high berm, retaining walls, fence and make other corresponding site alterations, as described below:

#### Pool and Related Elements

- 1) **Pool** – Construct an 18-foot wide by 36-foot long in-ground swimming pool in the backyard. Refer to Figure 32.
- 2) **Coping** – Install bluestone coping around pool.
- 3) **Patio pavers around pool** – Install 1.5-inch thick full colored cleft bluestone varied in size to serve as pool deck on the southern half of the pool, set in CR6 base. Pool decking/bluestone pavers will not be on the northern half of the pool, that area will be landscaped. A portion of the existing Nicolock concrete pavers will be removed to install the new bluestone pavers. Refer to Figure 33.
- 4) **Channel Drain** – Install black trench drains flush with the pavers around the East, South and West borders of the pool. The drains will be a 3-inch NDS 900 black catch basin.
- 5) **Walkway and Gate** – Construct a single, 3-foot-wide walkway from the existing patio east to the proposed fence line. Use Nicolock Old Town pavers to match existing paving material. There will be a 6-foot wide gate where the 3-foot wide walkway exits to allow for equipment access. The style of the gate will match the fence. Refer to Figure 35.
- 6) **Berm, Boulders and Slide** – Construct a 6-foot high berm, with plantings, along the north side of the pool to provide screening from the adjacent Burgess Mill apartments. The berm will be constructed from stacked natural boulders and it will be landscaped with plantings. A water feature will flow down the cascade of boulders and into the pool. Natural stone steps will lead up to a medium taupe colored fiberglass water slide through the berm rocks. Refer to Figure 34.
- 7) **Pool Fence** – Install a 4-foot 6-inch black aluminum fence around the backyard pool area, as required by Code, as shown on the site plan. The fencing will resemble the existing fence (black aluminum with ball caps at supports posts) along the northwest corner of the house.
- 8) **Gates** – Install two gates in fence line. One fence will be a single 3-foot-wide gate on the west of the house and the second will be a double 6-foot wide gate on the eastern side.
- 9) **Mechanical Equipment Pad** – Install a 4-foot by 16-foot concrete pad for pool equipment. The pad will be hidden in the landscaping beyond the northeast corner of the pool.
- 10) **Mechanical Equipment Structure/Fence** – Construct board and batten sides/fence to the mechanical equipment pad, if noise is determined to be of concern. To be constructed of wood, unstained and unpainted, and will not exceed 5 feet in height.

#### Retaining Walls, Fireplace and Pergola – West Side of Rear of Property

- 11) **Existing Retaining Wall** – Remove a 14-foot section of the existing low concrete retaining wall that currently curves north beyond the northwest corner of the house.
- 12) **Existing Retaining Wall Trim** – Remove the existing bullnose trim from the remaining section of wall, and face the top and front of the wall with natural Carderock stone to match that used elsewhere on the property.
- 13) **New Retaining Walls** – Construct a new double retaining wall on the west side of the property. The retaining walls will be locally sourced natural Carderock stone, on top of concrete footers. The stone will be mortared in place, using a buff colored mortar. The top course of the natural capstone will have a 1-inch reveal to accommodate subtle rope lighting.
  - a. The lower wall will be 41 linear feet, excluding the width of the proposed new fireplace, and will not exceed 2-feet in height.
  - b. The upper retaining wall will be 51 linear feet in length and will not exceed 2-feet 9-inches in height.
- 14) **Fireplace** – Install a 48-inch wide by 10 feet high pre-assembled masonry fireplace and chimney (Standard series line). The fireplace will be faced with the same Carderock stone mortared in place to match the adjacent stone walls. The hearth will be Bluestone. The chimney will extend about one foot above the proposed pergola roof. Refer to Figures 40-42.



- 15) **Millstones** – Install two 20-inch diameter millstones in retaining wall, on either side of the fireplace, per the illustration in the application. Refer to Figure 41.
- 16) **Pergola** – Construct a 16-foot long by 10-foot wide by 9-feet 6-inches high cedar wood pergola. The cedar will not be painted or stained and is intended to weather and gray, similar to the siding on the barn residence.
- 17) **Pergola Solar Panels** - Install 10 partially translucent solar panels as the pergola roof. Each panel will be 1.5 inches thick, laying flat on 1.6-inch high metal rails painted brown and bolted to the structure. The roof will consist of 10 panels (5 feet by 2 feet) for a total of 65 inch in length by 41 inches in width. The panels will be connected with clear 3-inch wide joining tape at the seams to form a watertight seal. There will be a slight 3% drain pitch toward the west/fireplace.
- 18) **Pergola Gutter** – This does not appear to be referenced in the application, but the applicant noted a gutter would be installed on the west side of the pergola, facing the fireplace.
- 19) **Pergola Patio** – Under the pergola, install a 5-foot by 7-foot paving inset of natural river stones.
- 20) **Ceiling Fan** – Install one 52-inch diameter brown Hunter ceiling fan on the center beam
- 21) **Carriage Lights** – Install two Kichler Ashland Bay carriage style light fixtures, one fixture to be placed on each of the corner support posts closest to the fireplace (west), to be located inside the pergola facing the pool (east).

#### Shed and Outdoor Shower

- 22) **Shed and shower** – Construct a 6-foot-deep by 6-foot-long by 6.5-foot-high structure made from board and batten. Part of the structure will be an open air (no ceiling) 4-foot by 6-foot outdoor shower adjacent to a 2-foot by 6-foot storage shed that will have a galvanized metal roof. The shower will be placed over a 6-inch gravel bed. The shower/shed will be constructed with pressure treated posts and wrapped in 10-inch poplar wood planks with 3-inch tapered batten strips. The wood will be unstained/unpainted and allowed to weather, similar to the siding on the barn.
- 23) **Door Hardware** – The door hardware will be black metal.
- 24) **Outdoor Lights** – The same Kichler Ashland Bay carriage style 11-inch zinc light fixture will be mounted on the south wall of the structure.

#### Existing Concrete Slab

- 25) **Cedar posts** – Install two 8-foot high 4"x4" cedar posts with Simpson Strong-Ties, situated on the north corners of the existing concrete hot tub pad, with an oil rubbed bronze curtain rod connecting them. Refer to Figure 36.
- 26) **Paver Border**– Install Nicolock Old Towne paver border around existing concrete pad (located behind house). The Nicolock Old Towne pavers are the paving used for the existing patio. Refer to Figure 36.

#### Retaining Wall – Northeast Perimeter of Property

- 27) **Northeast Retaining Wall** – Construct a low retaining wall, 56 linear feet, made of interlocking concrete blocks outside of the proposed fence line, at the east perimeter of the property. The property drops off steeply at this location and is subject to erosion. The proposed retaining wall will use Belgard Diamond 9 concrete blocks, in the color Bella (consisting of browns and grays), with the intent to camouflage with the wooded surroundings. The low retaining wall will span approximately 56 linear feet and range in height from 6-inches to 2-feet 9-inches. Refer to Figures 37-39.

#### Landscape Plantings

- 28) **Landscaping** – Install landscaping according to the plan included in the application.



- a. Install approximately 6 crepe myrtles across the north edge of the existing patio to create a spatial separation from the proposed pool area. The trees will be accented with up-lights.
- b. Install approximately 5 native, multi-trunk River Birch at the east end of the proposed patio to supplement the existing Elms, creating a forest-like environment in order to provide additional screening from Ellicott Mills Drive.
- c. Install additional base plantings to soften the transition from pavement to grass.
- d. The five existing Elms are to remain.
- e. A variety of evergreen and other plantings will be installed north of the pool and west of the terraced retaining walls.

#### **HPC Review Criteria and Recommendations:**

##### Pool, Coping, Patio Pavers, Channel Drain, Walkway and Gate (Items 1-5)

##### **Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 1) Chapter 7 recommends, "attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways."

##### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 2) Chapter 9.D recommends, "construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."
- 3) Chapter 9.D recommends, "construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone."

**Pool, Coping, Patio Pavers, Channel Drain (Items 1-4)** – The Guidelines do not address the construction of in-ground pools. However, if the pool is treated as an alteration similar to a building addition, the Guidelines for new additions would apply. The location of the proposed pool complies with the Guidelines and will be located in the rear yard and will not impact the primary façade of the historic building, nor should it be visible from the public right-of-way since it will be an in-ground feature. The pool will be visible from the neighboring Burgess Mill apartments.

The materials used on the pool coping and pool patio are bluestone, which complies with the Guidelines to construct new patios from stone. The stone will complement the other use of stone on the site, such as in the proposed retaining walls. The channel drains are a necessary component to the pool and will be integrated into the patio around the pool and will not be highly visible from the public right-of-way.

**Walkway/Gate (Item 5) and Paver Border for Existing Concrete Pad (Item 26)**– The proposed walkway to the east side of the property fence line will use Nicolock pavers, to match the existing rear patio, which is where the walkway will be located. The proposed border around the existing concrete slab, on the other side of the existing Nicolock patio will also use Nicolock pavers. The use of an existing, approved paver complies with the Guideline recommendations above as the alteration will be compatible with nearby materials and the historic setting. The gate will be discussed below.

##### Fencing and Gate (Item 7 and 8)

##### **Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 4) Chapter 9.D recommends, "install open fencing, generally not more than five feet high, of wood or dark metal."

**Pool Fence and Gate (Items 7 and 8)** – The proposed fencing and gate generally complies with the Guideline recommendations. The fencing will be black metal and similar in design to other fencing on the rear of the property.

Mechanical Equipment Pad (Item 9)

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

- 5) Chapter 9.D recommends against, “new patios of poured concrete slabs in readily visible locations.”

**Mechanical Equipment Pad (Item 9)** – The proposed concrete pad will be located in the rear yard, nestled into the landscaping in order to hold the mechanical equipment for the pool. The concrete pad will be not be visible from the public right-of-way. The size of the pad is quite large at 16 feet in length, and should be reduced if possible, but otherwise complies with the Guideline recommendations.

Northeast Retaining Wall (Item 27)

**Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

- 6) Chapter 9.A recommends, “minimize grading by siting new structures and other improvements to make use of the land’s natural contours. When necessary, use appropriately designed retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development patterns.”

**Chapter 9.D: Landscape and Site Elements; Topography and Water Courses**

- 7) Chapter 9.D recommends, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”
- 8) Chapter 9.D explains, “retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City’s typical stonework can be appropriate in visible locations.”

**Northeast Retaining Wall (Item 27)** – The proposed Northeast retaining wall will prevent the property from further eroding at this location. The proposed Belgard concrete block pavers were chosen based on the color pattern, which the applicant finds would blend with the neighboring forested area. The intent is for the retaining wall to blend in and not be visible. The proposed retaining wall complies with the Guideline recommendations as the proposed block is compatible with the immediate forested setting.

Berm (Item 6) and Mechanical Equipment Structure/Fence (Item 10), West Retaining Wall and Pergola, Shed and Outdoor Shower, Landscaping (Items 11-28)

**Chapter 7: New Construction: Additions, Porches and Outbuildings**

- 9) Chapter 7 recommends, “attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from public ways.”
- 10) Chapter 7 recommends, “if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback.”
- 11) Chapter 7 recommends, “design outbuildings visible from a public way to be compatible in scale, form and detailing with historic structures and outbuildings in the neighborhood.”

**Chapter 9.A: Landscape and Site Elements; Topography and Water Courses**

- 12) Chapter 9.A recommends: “minimize grading by siting new structures and other improvements to make use of the land’s natural contours. When necessary, use appropriately designed

*retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development patterns."*

**Chapter 9.B: Landscape and Site Elements; Trees and Other Vegetation**

**13)** Chapter 9.B recommends:

- a. *"Include landscaping improvements as part of any construction project in locations visible from a public way. In most cases, use plant varieties native to the area."*
- b. *"Plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow."*

**Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways**

**14)** Chapter 9.D recommends, *"construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."*

**15)** Chapter 9.D explains, *"retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations."*

**Secretary of the Interior Standards for Rehabilitation:**

**Standard 1** – A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

**Standard 9** – New additions, exterior alterations or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, feature, size, scale and proportion, and massing to protect the integrity of the property and its environment.

**Standard 10** – New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**Solar Panels and Other Solar Devices**

**16)** Add solar panels on a roof surface not visible from a public way.

**17)** Located detached arrays of solar panels and solar devices at a historic site in the rear or side yard if the arrays are not highly visible from the public streets and do not detract from other major character-defining aspects of the site. The location of detached solar arrays should also consider visibility from adjacent properties, which shall be reduced to the extent possible while still maintaining solar access.

The remaining items to be reviewed will be the most altering to the rear of the property. The existing rear yard directly behind the house is relatively flat and increases in grade significantly to the west and then decreases significantly in grade to the east beyond the property line. As shown in the landscape and site plan, the majority of the rear yard will be disturbed with some type of alteration. Aside from new landscaping trees and shrubs, the applicant proposes to construct a 6-foot berm with boulders and a slide, three new structures, and a set of double retaining walls. While each item will be addressed below, it is important to note that it is the comprehensive plan that results in a change of character to the property, even though one item might be fine and comply with the Guidelines on its own. The application generally complies with the Guidelines and Secretary of the Interior Standards since the alterations are to the rear of the property and are not connected to the historic house. However, the alterations do change the character of the property by altering the site and spatial relationships. When possible, a reduction in proposed site features would assist the application in better complying with the Guidelines and Standards.

**Berm, Boulders and Slide (Item 6)** – This item is proposed to be constructed directly behind the pool and main historic house, to create a buffer between the Burgess Mill apartments and the pool, but also to provide an elevation for the slide. The berm will consist of boulders and landscaping and the slide will be a neutral color to blend. As rock outcroppings are common throughout Ellicott City, and on this property. The installation will be located in the rear yard and should not be highly visible from the public right-of-way. The proposal generally complies with the Guidelines recommendations to construct new site features to be compatible with the setting and nearby historic structures.

**Mechanical Equipment Structure/Fence (Item 10)** – The applicant is requesting approval of this item in the event that the noise from the mechanical equipment is too loud. The proposed concrete pad the equipment will sit on is 4 feet by 16 feet. The fence would be constructed to follow these dimensions. The height is not referenced in the application, but the applicant noted it would not exceed 5 feet in height. Given the amount of alterations and vertical structures proposed to be constructed in the rear yard, and that this item is proposed as an option, Staff recommends the HPC recommend it be withdrawn and resubmitted in the event it is needed. This would be a large structure that serves no purpose other than buffering sound, which could be accomplished through different landscaping.

**West Retaining Walls, Fireplace, Pergola and associated components – (Items 11-21)** – The proposed retaining walls comply with the Guidelines to create the minimum level area needed for the proposed pergola and other site alterations. The retaining walls will be constructed with real stone, which complies with the recommendations for new site features to be compatible with the setting and historic structures and to face retaining walls in stone. The west stone retaining walls will be compatible with the historic building which has a stone basement level, and with other site features.

The pergola will be located in the rear yard and should not be highly visible from the public right-of-way. It will be constructed of cedar wood, and allowed to weather. The solar panels on the roof of the pergola appear to be translucent and otherwise comply with the Guideline recommendations as they will not be attached to the historic structure, will be a detached array in the rear yard, and are not visible from the public right-of-way. The panels may be visible from Burgess Mill, the neighboring property. It is not referenced in the application, but the applicant noted in person that the owner wanted to install a gutter on the pergola. This is not a typical treatment for a pergola and is not recommended from a design perspective. The paving treatment under the pergola also complies with Chapter 9 recommendations for creating new site features.

The outdoor lighting fixtures and fan will be constructed of dark metal and will not be visible from the public right-of-way and comply with the Guideline recommendations. The proposed placement of the millstones does not conflict with the Guidelines as the use of the millstones directly relates to the history of the site.

**Shed and Outdoor Shower – (Items 22, 23, 24)** – The proposed shed/outdoor shower will be constructed of board and batten wood and a galvanized metal roof, to match the design of the siding on the front barn. The proposal complies with the Guidelines as it is placed behind the historic structure and is compatible in form and detailing with the existing rear historic outbuilding and front modern barn. The hardware will be black metal, which complies with Guideline recommendations. The same carriage lights will be used on this structure that are proposed to be used along the driveway and pergola and will be used consistently on site and not visible.

**Existing Concrete Slab Cedar Posts (Item 25)** – The proposal to add two 8-foot-high 4"x4" cedar posts, with a curtain rod between them to provide privacy for a future hot tub seems preemptive. The posts serve no practical purpose at this time, and will be very tall. Staff recommends the HPC recommend the

item be withdrawn at this time, and provide advice on whether this could be approved, or if the applicant should find a different screening method, such as a tilted outdoor umbrella that can be moved as needed and is not secured in place.

**Landscaping (Item 28)** – The proposed landscaping complies with the Guideline recommendations to include landscaping with a construction project and includes some native plants.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve:

- 1) Items 1-5: Pool, Coping, Patio Pavers, Channel Drain, Walkway and Gate
- 2) Item 6: Berm, Boulders and Slide
- 3) Items 7 and 8: Fencing and Gate
- 4) Item 9: Mechanical Equipment Pad; to be reduced in length if possible
- 5) Items 11 and 12: Alterations to existing, non-historic retaining wall
- 6) Items 13-17: (Item 13) New stone retaining walls, (Item 14) Fireplace, (Item 15) Millstones, (Item 16) Pergola, (Item 17) Pergola solar panels
- 7) Items 19-21 – (Item 19) Pergola patio, (Item 20) Ceiling fan, (Item 21) Carriage lights
- 8) Items 22-24 – (Item 22) Shed/shower structure, (Item 23) Door hardware, (Item 25) Outdoor lights
- 9) Item 26 – Border around existing concrete slab
- 10) Item 27 – Northeast Belgard concrete block retaining wall
- 11) Item 28 - Landscaping

Staff recommends the HPC recommend the applicant withdraw:

- 12) Item 10: Mechanical Equipment Structure/Fence
- 13) Item 18: Pergola Gutter
- 14) Item 25 – Two 8' foot tall cedar posts

**Testimony:** Lisa Wingate and Laura Steensen were previously sworn in. Ms. Holmes noted that earlier in the day staff was contacted by the applicant with a corrected and amended application. Ms. Holmes noted that Item 6 was amended to remove the slide and remove the stone steps for the slide; Item 9 was amended to be a 4 foot by 12 foot concrete pool equipment pad and was relocated north of the pool to be more centrally located behind the rock waterfall; Item 10 was amended to include the option of a reed screen fence, if a board and batten fence was not acceptable to the Commission; Item 13a was corrected to note that the lower retaining wall would be 41 feet long, Item 13b was corrected to note that the upper retaining wall would be 62 feet long, and Item 13c was corrected to have 11 feet of retaining wall returns along the North side of each wall; Item 17 was clarified to explain the pergola solar panels would consist of 10 panels with 5 panels in 2 rows; Item 18 was amended to include the installation a brown half round gutter and round downspout to drain water off the solar roof away, from the fireplace; Item 27 was corrected to note the Northeast retaining wall would be 145 linear feet; and Item 28 was amended to have sweetspire and golden ragwort included in the landscaping plan.

Ms. Wingate spoke to the Commission about the amended and corrected application changes due to issues that resulted when the property was staked out. The slope in the yard would require building up the land under the mechanical equipment pad which resulted in the aforementioned changes. Ms. Holmes clarified with the applicant that the berm has been removed from Item 6. Ms. Wingate confirmed the berm was removed from the application. Ms. Zoren asked how tall the pool equipment would be. Ms. Wingate said the equipment would be around four feet tall. Ms. Zoren asked if the equipment fencing was necessary as the waterfall is about the same height as the equipment and would block the view of the equipment. Ms. Wingate said the fencing was necessary as when one stands up,



the equipment would be visible; the equipment would also be visible from the second story of the house.

Mr. Reich said he was concerned about the view from Burgess Mill. Ms. Wingate said the plan submitted included cross sections and a list of plant materials. Ms. Wingate said there would be lots of trees between Burgess Mill and the equipment and the pool. Mr. Roth said the foundation grass that is included on the application is part of the Maryland's invasive list, and suggested the applicants consider a native Maryland grass. Ms. Wingate amended the application to add a Maryland native grass and remove the invasive grass.

Ms. Tennor asked if the boulders were mortared. Ms. Steensen said the boulders will be mortared together but the mortar will not be visible.

Ms. Wingate asked if the Commission was comfortable with the pergola having solar panels, as the light will still come in through the sides of the panels but the center will capture the sun. Ms. Holmes asked Ms. Wingate to send specifications on the solar panels. Ms. Wingate said each panel is 65 inches by 41 inches with the roof tipped towards the fireplace, and the rain will hit the roof and run toward the fireplace. The homeowners want to collect the rain water in a half round brown gutter and dispense the water into the garden beds. Ms. Tennor asked the type of gutter used on the existing house. Ms. Steensen said the gutters on the house were copper. The Commission discussed if the gutters on the pergola should be an exact match to the gutters on the house to reiterate historic elements. Ms. Wingate said the applicants were trying to reiterate historic elements through the fence and stone materials around the pool. Ms. Zoren asked where the gutter will be located on the pergola. Ms. Wingate said it would be on the side of the pergola facing away from the house. Ms. Tennor said she had no objection to a brown half round gutter.

Mr. Roth asked if the plants would be on the inside of the fence. Ms. Wingate said the plants would be on the inside of the fence to leave a gap between the neighboring property fence to allow deer to pass.

The Commission asked where the gates to the fence would be located. Ms. Wingate said there would be one gate at the top of the property and one on the south of the property made of cedar posts.

Ms. Wingate explained the proposed changes to the existing concrete pad, which is for a future hot tub. The applicants want to add a band of paving materials around the concrete, and two 4x4 eight foot tall posts so that they can pave around them. Ms. Tennor asked for the function of the posts. Ms. Wingate said the posts will connect with a shower curtain rod to provide privacy from Burgess Mill.

Mr. Roth suggested putting down a post base sleeve so that the post can be removed as needed. Ms. Wingate said she wants the Commission to understand there would be a 4-inch post placed and amended the application to something comparable in design to a fence post base.

Mr. Reich asked where the Commission was on the fencing for the mechanical equipment pad. Ms. Tennor said she would like the pool equipment fencing to come back in as a Minor Alteration once the pool was constructed and the screening and height could be determined. The Commission agreed.

**Motion:** Mr. Reich moved to approve the application as amended. Mr. Roth seconded. The application was unanimously approved.



**HPC-20-09 – 8221-8225 Main Street, Ellicott City**

Certificate of Approval.

Applicant: Donald Reuwer, Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests a retroactive Certificate of Approval for exterior painting at 8221-8225 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930.

**Scope of Work:** The applicant seeks retroactive approval for exterior painting. The first-floor storefront has been painted Benjamin Moore Prussian Blue, CW 625 and the doors were painted Benjamin Moore Harwood Putty, CW-5. The previous color was a red color; the application states it was a rust shade, which it appeared to be, however other views also show mauve tones. The terracotta tiles on the building are an orange-red clay color and the square tiles are an ivory/yellow off-white color.

**HPC Review Criteria and Recommendations:**

***Chapter 6.N: Rehabilitation and Maintenance of Existing Buildings; Colors and Painting***

- 1) *Chapter 6.N recommends, "use colors that were historically used on the building."*

A staff review of the file revealed that the original building colors are unknown, and previous applicants had expressed interest in discovering the original colors.

- 2) *Chapter 6.N recommends, "use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings. On attached buildings, use the same colors or a coordinated color scheme whenever possible. In general, use calm or subdued colors, reserving bright colors for small, important details such as doors or trim."*

The blue does not clash with the terracotta tiles and yellow/ivory colored tiles. The white doors do stand out against the dark navy blue and do not appear as compatible with the yellow/ivory colored building tiles.

**Staff Recommendation:** Staff recommends the HPC approve the blue, but recommends the HPC request a more appropriate color be identified and approved for the doors.

**Testimony:** Mr. Shad asked if anyone in the audience was in opposition to the application and would like to ask questions to the applicants. No one in the audience had any questions. Trae Reuwer, Kim Egan and Joseph Rutter were previously sworn in. Mr. Shad asked if the applicants had anything to add to staff comments.

Ms. Egan presented a new Benjamin Moore sample color, Randolph Bisque (CW-185) paint to change for the Hardwood Putty. Ms. Egan said the new color was closer to the stucco color.

Mr. Shad asked why the applicants were seeking a retroactive approval. Mr. Reuwer said he was told the color was approved by the Commission from his boss. Mr. Rutter said there were minor improvements needed after the floods and the applicants were trying to find a color less ugly than what was there. Mr. Shad asked why there was no submission of color before the work was done and explained the Minor Alteration process was put in place for situations like this.

Ms. Tennor said she thought the new color submission, Randolph Bisque, was a good alternative and would tone down the brightness of doors and bring the doors into a family of colors that match the building. Ms. Tennor suggested that after the building has been painted the Commission can move forward and look at the colors overall in conjunction with graphics. Mr. Roth said he liked the comment about making the colors work in unison. Mr. Reich said the proposed color was a good choice.

**Motion:** Ms. Tennor moved to approve the revised paint color per staff recommendations. Mr. Roth seconded. The motion was approved 4 to 1, Mr. Shad opposed.

#### **HPC-20-10c – 8221-8225 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Donald R. Reuwer, Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8221-8225 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$568,800.00. The difference in the assessment that may be eligible for the tax credit is \$567,800.00.

**Scope of Work:** The Applicant seeks final tax credit approval for 20.113, the assessment tax credit and has submitted documentation that a total of \$89,020.34 was spent improving or restoring the building. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, the current assessment and the current tax rate, is \$5,757.49.

#### **HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work and corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. As a result, Staff reviewed expenses submitted and finds that \$89,020.34 was spent repairing the structural deficiencies in the building.

The Commission should determine if the work did not require pre-approval per Section 20.113 of the Code, which states, "In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures."

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure "the owner files an application with the Commission within 12 months of the increased assessment."*

The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

- 4) *Section 20.113(c)(1)(iii) provides the following procedure "A Certificate of Approval from the Commission is obtained for all work subject to Commission approval under 16.603 of this Code, or any other provision of this Code or the Zoning Regulations that requires a Commission determination."*

The building was painted, and a sign was installed without approval. The property owner requested the tenant submit for approval of the sign and the property owner submitted for approval of the painting. These items are on the current HPC agenda for consideration.

**Staff Recommendation:** Staff recommends Approval as submitted for the final 20.113 tax credit, for the amount of \$89,020.34 in qualified expenses.

**Testimony:** The applicants, Trae Reuwer and Joseph Rutter were previously sworn in. Mr. Reich said the application was pretty straight forward. Mr. Reich asked for clarification of the reoccurrence of the tax credits for the property. Ms. Holmes explained that the applicant would potentially be receiving the \$5,757.49 amount every year for ten years, unless it maxed out before then.

**Motion:** Mr. Reich moved to approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

#### **HPC-20-11 – 8307 Main Street, Ellicott City**

Certificate of Approval for sign and mural.

Applicant: Nicholas Johnson

**Request:** The applicant, Nicholas Johnson, requests a retroactive Certificate of Approval for the installation of a sign and mesh mural at 8307 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930.

**Scope of Work:** The applicant seeks retroactive approval for the installation of a sign and a mural/banner. The sign was installed on the side of the building, visible from Parking Lot D. The sign is painted directly on the building, matching that on the front façade, with a black background and white text. The painted sign is 17 inches high by 71 inches wide, for a total of 8.27 square feet. The sign was painted in a void between windows, on the end of the side of the building, in a location where previous tenants have had approved projecting signs.

The sign has one additional line of text not found on the front façade, the established date, and reads on two lines:

SU CASA  
Est. 1999

The applicant also seeks retroactive approval for the installation of a mesh fabric mural, that was installed in the recessed side entry, over an existing window. The mural was created on a mesh fabric and is held in place with grommets and a banner track installed above and below the window. The mesh fabric mural/banner is 108 inches high by 110 inches wide for a total of 82.5 square feet. The mural/banner reads "Ellicott City est. 1772" and has the image of a red heart on it.

#### **HPC Review Criteria and Recommendations:**

##### Sign

##### **Chapter 12.A: Signs, General Guidelines**

- 1) Chapter 12.A recommends:
  - a. "Use simple, legible words and graphics.
  - b. "Keep letters to a minimum and the message brief and to the point."

The sign uses simple, legible words and only contains the name of the store and the date established.

##### **Chapter 12.A: Signs, General Guidelines**

- 2) Chapter 12.A recommends, "Use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade."

The sign only uses two colors, black and white, which matches the colors used on the building façade and the colors used on other signs on the building for this business and a neighboring business.

##### **Chapter 12.B: Signs, Commercial Buildings**

- 3) Chapter 12.B recommends, "in most cases, limit the area of signage to one-half square foot of sign area for each linear foot of primary street frontage, with a limit of eight square feet in area for any one sign. More sign area is appropriate for some of Ellicott City's larger buildings, where these signs would result in signs that are ineffective or not in scale with the building."

The sign is slightly larger than recommended at 8.27 square feet, but is scaled appropriately for the side of the building where it is located. The business, Su Casa, expanded into the rear space, which was formerly occupied by a different tenant. As a result, the former tenant's sign has been removed, and this sign has been added. The new sign for Su Casa is also smaller than the previously existing sign for the former tenant.

##### **Chapter 12.B.9: Signs, Commercial Buildings, Wall Murals**

- 1) Chapter 12.B.9 states, "Painting a sign directly on a wall or other structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the sign code. Well-executed artwork such as wall murals can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission."

The painted sign identifies a business. There is a historic precedent for signs painted on building facades, which was a common sign treatment.

#### Fabric Mural/Banner

#### **Chapter 12.B.9: Signs, Commercial Buildings, Wall Murals**

- 2) *Chapter 12.B.9 states, "Painting a sign directly on a wall or other structural part of a building is not permitted by the county Sign Code. However, the Board of Appeals may grant a variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code. Well-executed artwork such as wall murals can make a positive contribution to the historic district. Any wall mural, whether or not it is a sign, requires approval by the Historic Preservation Commission."*

The mural was not painted on the building, as it is mesh fabric, but the Guidelines do not otherwise address murals. The design does identify an area, Ellicott City, and might be considered a sign per the Code referenced above. The application explains that the intent of the mesh mural/banner was to raise awareness on social media that the town is thriving. Although the mural/banner covers a window, it is fabric, it can be removed at any time and does not adversely impact the building. The mesh mural/banner is located in a recessed area on the side of the building and does not impact the primary façade of the building.

**Staff Recommendation:** Staff recommends the HPC approve the application as submitted.

**Testimony:** Mr. Shad asked if anyone in the audience was opposed to the application and would like to ask questions of the applicant. No one in the audience had questions. Trae Reuwer was already sworn in. Mr. Shad swore in Nicholas Johnson. Mr. Shad asked if the applicants had any comments or additions to staff comments. The applicants did not have anything to add.

Mr. Shad asked if the applicants did not know they would need approval for their application as they were seeking a retroactive approval. Mr. Johnson said he did not know that he would need approval from the Commission for the mesh banner. Mr. Johnson said the mesh banner is translucent and can be taken down in five minutes. Mr. Johnson said that for the sign painted on the side of the building, he had previously come before the Commission to get the same sign approved on the front of his building. When the second tenant of the building moved out and took down their sign it exposed the brown paint and so Mr. Johnson went ahead and painted a second version of the approved sign design on the building.

Mr. Shad asked why the Commission is being asked to retroactively approve the applicant's signs. Mr. Johnson said he did not want to do double the work of repainting the building to match the wall and then paint the sign again. The color of the building changed between when the second tenant posted their sign and when they took it down. Due to the building color changing when the second tenant took their sign down it left a brown void. Mr. Johnson said it was much easier for him to paint black on brown than beige on brown and then black on beige. Ms. Tennor asked if the applicants didn't think they would need to make an application. Mr. Johnson said he did not think it was that much of a problem.

Ms. Tennor asked how long the applicants plan on leaving the banner up. Mr. Johnson said he wanted to leave the mesh banner up until there is excitement about Ellicott City again, and said the banner was an Instagram spot. He explained that people take pictures in front of the sign and post the pictures on social media; it is a way to show things are opening and happening in Ellicott City. Mr. Johnson said his store logo was purposefully not added to the banner so that the banner was only about Ellicott City.



Ms. Tennor asked if the window still received light, since the banner was translucent. Mr. Johnson said the window did receive light and in Figure 18 of the staff report, a glare is visible on the window with the banner. Mr. Reich said in the future Mr. Johnson should at least submit for the expedited process. Mr. Reich said that Mr. Johnson should come back in for an approval for it to be hung for an extensive period of time, and that it should be up to the Commission to set a period of time. Mr. Reich said he would not have a problem with the banner if it was temporary. Mr. Reich added if the banner helps Ellicott City it is good, and the banner is not visually intrusive.

The Commission discussed previous applications that were similar in nature that were not approved. The Commission discussed the size, material and location of the banner with staff and whether to treat the application as a wall mural or banner. Ms. Tennor said this case would set a precedent or fly in the face of previous cases, such as the Cotton Duck sign. Mr. Johnson explained the size of the banner was based on the size of the window it needed to cover. Ms. Burgess said the location of the mesh banner was on an alcove by the secondary entrance and the location made a difference to staff between this application and the one Ms. Tennor was referencing. Ms. Holmes said the materials do not damage the façade. Mr. Roth said the Commission should handle the mesh banner as if it was a wall mural. Ms. Tennor said the banner was less permanent than a wall mural and was on a recessed wall. Mr. Roth said the banner is essentially a wall mural, the application just did not come before the Commission.

Mr. Johnson said he was not sure when the banner would go out of vogue, but had about 20 people take pictures that day. Ms. Tennor asked if the manufacturer gave the applicant a lifetime expectancy on the banner. Mr. Johnson said no. Mr. Taylor said the Commission should look at historic architectural and cultural characteristics of the mural/sign and how it is compatible or not compatible with the setting. Ms. Holmes reminded the Commission of the approval for the mural on the Yates building, where the mural is mounted on the façade, and not painted on. Mr. Reich asked if the applicant would have a problem with the Commission approving the banner to be up for a year and if the applicant wants the banner up longer than a year, they would have to come back with an application. Ms. Zoren said the applicant could reapply through the minor alteration process. Mr. Johnson said he did not understand the need to reapply in a year. Mr. Roth said the Commission's request for a year-long approval is consistent with past cases.

Mr. Johnson said he meets people every day that do not know that Ellicott City is open. He said until people know that Ellicott City is open he is going to keep the banner hung. Mr. Johnson said if the approval is only for a year, then he will be back, but noted there are things that are more permanent that have happened in Ellicott City recently, such as the banner on Caplan's building that was hung. Ms. Holmes said the County submitted an application and received approval for that alteration.

Mr. Shad said the question remains if the applicant is willing to leave the banner up for a year and then reapply. Mr. Johnson said if that was the only way he would get approval than he would, but the suggestion was not his preference.

Mr. Reich asked about the Commission's thoughts on the painted sign where the secondary tenants sign was previously. Ms. Tennor said she had no objection to the painted sign.

**Motion:** Mr. Reich moved to approve the Su Casa painted sign as a permanent sign and the mesh Ellicott City sign as a one-year approval. Mr. Roth seconded. The motion was approved 4 to 1, Mr. Shad opposed.



**HPC-20-12c – 8307 Main Street, Ellicott City**

Final assessment tax credit 20.113 approval

Applicant: Donald R. Reuwer, Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8307 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$1,308,400.00. The difference in the assessment that may be eligible for the tax credit is \$1,307,400.00.

**Scope of Work:** The Applicant seeks final tax credit approval for 20.113, the assessment tax credit and has submitted documentation that a total of \$142,726.17 was spent improving or restoring the building. Staff reviewed the expenses and found the expenses totaling \$140,774.27 may be eligible. The estimated potential tax credit this property could qualify for, based on the potential eligible expenses, current assessment and the current tax rate, is \$13,257.04.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work making improvements and rehabilitating the building, along with the corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. As a result, Staff reviewed expenses submitted and finds the repairs were done in-kind. The expenses that involved exterior alterations were approved through the Minor Alteration process.

The Commission should determine if the work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

- 4) *Section 20.113(c)(1)(iii) provides the following procedure “A Certificate of Approval from the Commission is obtained for all work subject to Commission approval under 16.603 of this Code, or any other provision of this Code or the Zoning Regulations that requires a Commission determination.”*

Signs were installed without approval. The property owner requested the tenant submit for approval of the signs. These items are on the current HPC agenda for consideration.

**Staff Recommendation:** Staff recommends the HPC approve the application for the final 20.113 tax credit, for the amount of \$140,774.27 in qualified expenses.

**Testimony:** Trae Reuwer was previously sworn in. Mr. Shad asked if Mr. Reuwer had anything to add to the staff report. Mr. Reuwer said he did not.

**Motion:** Ms. Tennor moved to approve the application for final tax credits per the staff recommendations. Mr. Roth seconded. The motion was unanimously approved.

#### **HPC-20-13 – 8137 Main Street, Ellicott City, HO-1008**

Certificate of Approval for signs.

Applicant: Eric Crowe

**Request:** The applicant, Eric Crowe, requests a Certificate of Approval for the retroactive installation of signs on 8137 Main Street, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District and is also listed on the Historic Sites Inventory as HO-1008, the Washington Trust Company. According to the Inventory form, the building was constructed in 1906. The Inventory form provides the following architectural description:

“The Washington Trust Company is a two-story, one-bay structure that faces north toward Main Street, and has brick party walls on the east and west. The north elevation has rock-faced marble ashlar with smooth ashlar quoins, and a terra cotta frieze, cornice and parapet. The first story has a large semicircular arch with central paired iron doors. Flanking the doors are windows with iron grilles. Above the doors and windows is a Diocletian window with a bracket keystone.”

**Scope of Work:** The applicant seeks retroactive approval for the installation of two signs. The first sign, Sign A, is a flat mounted sign that is 22.5 inches high by 47 inches wide, for a total of 7.34 square feet. The sign has a black background and white text. The sign material is 4mm black PVC, with a digital printed white text and logo. The sign is mounted with clear silicone. Sign A is located in the traditional sign location for this building, in the space above the doorway. The sign reads on three lines (the top and bottom lines are part of the border):

Escape Rooms – World Famous Gelato – Book Store & Unique Gifts  
UNUSUAL Company

## Custom Apparel & Accessories – Paint Nights, Shows, & Special Events

Sign B is located to the left of the window (if looking at the building) and has been mounted into the rock-faced marble. The application states the anchors were pre-existing. Sign B is 48 inches high by 24 inches wide for a total of 8 square feet. The sign has a white background with black text and graphics. The sign was printed of 4mm white PVC with a digital black print. The sign was mounted with a black PVC picture frame onto the existing threaded anchor in the rock-faced marble. This sign reads on 11 lines:

Welcome to  
Unusual Company  
Custom Apparel [graphic]  
World Famous Gelato [graphic]  
Escape Rooms [graphic]  
Book Store [graphic]  
Paint Nights & Events  
Unusual Experiences  
You'll Never Forget  
Plan Your Next Party  
Or Event Today!

### HPC Review Criteria and Recommendations:

#### **Chapter 11.A: Signs, General Guidelines**

- 1) Chapter 11.A recommends:
  - a. *"Use simple, legible words and graphics."*
  - b. *"Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used."*
  - c. *Emphasize the identification of the establishment rather than an advertising message of the face of the sign.*

Both signs contain the business name. While the font is not the most legible, it is identifiable as the business name. Both signs contain a lengthy message regarding the content of the business, which does not comply with the Guidelines. The text border on Sign A serves as an advertising message and should be reduced. The content on Sign B is an advertisement for the function of the business and does not comply with the Guidelines.

#### **Chapter 11.A: Signs, General Guidelines**

- 2) Chapter 11.A recommends, *"use a minimum number of colors, generally no more than three. Coordinate the sign colors with the colors used in the building façade."*

Both signs comply with this recommendation and will only use two colors, black and white, which coordinate with the black iron work on the building façade.

#### **Chapter 11.A: Signs, General Guidelines**

- 3) Chapter 11.A recommends, *"use historically appropriate materials such as wood or iron for signs and supporting hardware."*

The signs are made out of PVC, a plastic material, and do not comply with the Guidelines.

#### **Chapter 11.A: Signs, General Guidelines**

- 4) *Chapter 11.A recommends, "on masonry walls, drill into the mortar joints rather than into the stone or brick to attach fasteners for the brackets supporting the sign."*

The application states that the anchors in the marble façade are pre-existing. However, no holes should ever be drilled into historic stone and should be repaired to the extent possible.

#### **Chapter 11.B: Signs, Commercial Buildings**

- 5) *Chapter 11.B recommends against, "two signs where one is sufficient to provide an easily visible identification of the business."*

The application proposes two signs and does not comply with this recommendation. Only one sign, the main sign above the door, is needed to provide identification of the business. The other sign only serves to advertise the function of the business. Additionally, there are two other signs, three-dimensional arrows that read "Gelato", which are hung outside the building as well, serving as a third and fourth sign/advertising message.

- 6) *Chapter 11.B recommends, "incorporate the sign into the façade of the buildings. Signs should fit within the lines and panels of the façade as defined by the building frame and architectural details."*

Sign A is located in the traditional sign location, in the panel above the door. The location of Sign A complies with the Guidelines.

**Staff Recommendation to the HPC:** Staff recommends the HPC recommend a reduction of the advertising message in Sign A, to be resubmitted for approval with the option to process as a Minor Alteration if in compliance with the Guidelines. Staff recommends the HPC determine if the other signs (including the arrows), comply with the Guidelines, and approve or deny accordingly.

**Testimony:** Mr. Shad asked if there was anyone in the audience that was in opposition to the case and would like to ask questions. There was no one in the audience that had questions. Mr. Shad swore in Eric Crowe. Mr. Shad asked if Mr. Crowe had any comments on the staff report. Mr. Crowe said the original intent of the signs on the building were to be temporary until his business gained more funds to buy permanent signs. Mr. Crowe said the signs are to advertise what was going on in the building as there are no windows on the building that allow people to see inside, as other buildings on the street have. Mr. Shad asked if the signs are temporary. Mr. Crowe confirmed the signs are temporary and said the main sign was on a precast panel.

Mr. Crowe said the area behind the panel has a lot of holes. Mr. Crowe said his first inclination was to cover it up and come back and file for a permanent sign. His new sign would be something very nice in its place, like an emblem, such as the star that indicates a historic building and have the sign match that. Mr. Crowe said he hopes his business will have set their brand and people will be aware of what the business offers. Mr. Crowe said at that time the business would not need a sign like the one that is hung to the left of the building, explaining what they offer.

Mr. Shad asked when the applicant expects to have a design for a new sign. Mr. Crowe said this year. Mr. Shad clarified Mr. Crowe means in 2020. Mr. Crowe confirmed. Mr. Shad asked if there was a time frame within the year. Mr. Crowe said it was dependent on having funds to be able to pay for a bronze sign, as desired. Ms. Tennor was concerned that the Commission does not have a definition for

temporary, but does not feel 10 months is temporary and the applicant is speaking inside of 12 months. Ms. Tennor said Mr. Crowe has a lot of items he wants to convey from books to gelato. Ms. Zoren said the Commission approved a sign for Jaxon Edwin Social House with logos, which may be more appropriate than words. Using different icons that establish the businesses options that are in accordance with the guidelines on a new sign was possible. Ms. Tennor said she did not mind the words and said the sign above the door is not in compliance either, but the words are made into a border. Ms. Tennor said the guidelines do not say you cannot have a lot of words as long as they are little. Ms. Tennor said she thinks the sign over the door is perfectly acceptable per the guidelines. Ms. Zoren said the sign is acceptable, except for the materials used to make the sign.

Mr. Crowe said his business has been open since August 2, 2019 and he wanted to know if he had his new sign up by August 2, 2020 would it be acceptable to keep the current sign up until that date. Mr. Reich said he thinks that the Commission could approve the sign above the door for a period of time, but the Commission could not approve the second sign. Mr. Taylor said the Commission should provide justification for why they are approving the material of the sign. Ms. Tennor said the that the sign over the door would be approved on a temporary basis. The Commission and staff discussed the tax credit application for this site that is later on in the docket and how the approval of this application could affect the approval of the tax credit application. The Commission told the applicants so long as the applicants took down the second sign they could contingently approve the tax credit application as well. Mr. Taylor asked if the applicant would withdraw the application for Sign B. Mr. Crowe said he would withdraw the application for Sign B.

**Motion:** Mr. Reich moved to approve the sign above the door for a period of 5 months. Mr. Roth seconded. The motion was unanimously approved.

**HPC-20-14c – 8137 Main Street, Ellicott City, HO-1008**

Final assessment tax credit 20.113 approval

Applicant: Donald R. Reuwer, Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8137 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1906. The building was damaged by the May 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building has been re-assessed at \$326,600.00. The difference in the assessment that is eligible for the tax credit is \$325,600.00. The application contains documentation for \$56,003.04 in expenses for restoring the building.

**Scope of Work:** The Applicant seeks final tax credit approval for 20.113, the assessment tax credit and has submitted documentation that a total of \$56,003.04 was spent restoring the building to the pre-flood condition. The estimated potential tax credit this property could qualify for, based on the amount spent in restoration, current assessment and the current tax rate, is \$13,257.04.

**HPC Review Criteria and Recommendations:**



- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided detailed invoices from the subcontractors who performed the work making improvements and rehabilitating the building, along with the corresponding payments.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

Staff has reviewed the materials submitted and finds the restoration complies with the Secretary of the Interior Standards for Rehabilitation, per 20.113 code requirements, and that the property was essentially restored to its pre-flood condition. As a result, Staff reviewed expenses submitted and finds the repairs were done in-kind or with approval through the Minor Alteration process.

The Commission should determine if the work did not require pre-approval per Section 20.113 of the Code, which states, “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”

- 3) *Section 20.113(c)(1)(iv)(a) provides the following procedure “the owner files an application with the Commission within 12 months of the increased assessment.”*

The application has been filed within the required timeframe of being submitted within a year of being re-assessed.

- 4) *Section 20.113(c)(1)(iii) provides the following procedure “A Certificate of Approval from the Commission is obtained for all work subject to Commission approval under 16.603 of this Code, or any other provision of this Code or the Zoning Regulations that requires a Commission determination.”*

Signs were installed without approval. The property owner requested the tenant submit for approval of the signs. These items are on the current HPC agenda for consideration.

**Staff Recommendation:** Staff recommends the HPC approve the final 20.113 tax credit for \$56,003.04 in qualified expenses.

**Testimony:** Trae Reuwer was previously sworn in. Mr. Shad asked if he had anything to add to staff recommendations. Mr. Reuwer did not have anything to add.

**Motion:** Ms. Tennor moved to approve the final tax credit per staff recommendations contingent on the removal of the unapproved sign and to update the sign over the front door. Mr. Reich seconded. The motion was unanimously approved.

## OTHER BUSINESS

1. Adoption of Howard County Historic Sites Inventory Updates
  - a. Adding HO-1173 Bowling Green and HO-22-1 Doughoregan Manor Tenant Farm 43
  - b. Correcting address and historic names entries from existing properties listed on the Inventory; noting when properties have been demolished.

**Motion:** Ms. Tennor moved to adopt the Historic Sites listings as presented by Ms. Burgess. Mr. Roth seconded. The motion was unanimously approved.

2. Kings Forest Section 106 Updates

Ms. Holmes explained to the Commission that the United States Army Corps of Engineers (USACE) and Maryland Historic Trust (MHT) have drafted a MOA and the document will be sent out to all interested parties. The MOA addresses vegetative plantings and stipulations to mitigate adverse effects on Doughoregan Manor and the stone house (HO-133). The stipulations include a forest conservation easement and additional evergreen plantings to enhance the vegetative buffer. USACE is interested in hearing any additional recommendations the Commission has to offer to mitigate the adverse effect on the Historic Site. The MOA has been distributed to the Commission for their consideration.

Ms. Holmes introduced John Carney from Benchmark Engineering. Mr. Carney came to answer any questions the Commission might have on the MOA. Mr. Carney said that Benchmark Engineering, along with Tollhouse Brothers submitted the King Forest subdivision plan that included a wetlands and floodplain disturbance permit to USACE through MDE.

Mr. Carney showed on his exhibit from the tree line behind the stone house to the site for the potential development there is deciduous forest separating the two sites. MHT asked that Benchmark Engineering and Tollhouse Brothers mitigate further by planting evergreens along lots 5, 6, and 7 of the Kings Forest Subdivision (F-19-014). Mr. Carney showed the Commission the new planting plan with three types of trees as part of the visual buffer from the stone house looking south towards the Kings Forest Subdivision.

Mr. Reich asked for clarification on the hashed area of the plan. Mr. Carney explained the honeycomb area was the forest conservation easement. Ms. Tennor asked if the forest conservation easement was mostly deciduous forest as previously referenced. Mr. Carney confirmed the forest was mostly deciduous.

The Commission and Mr. Carney discussed the elevation change of the site. Mr. Carney said the elevation at the stone house is about 477 feet and with a five-foot high porch the estimated elevation was around 481 to 482 feet. Mr. Roth said the stone house was looking down a little bit across the valley to the development.

Ms. Tennor stated she had concerns with the planting plan and said it would be preferable if the edge of the developed area was not so defined by the planting that is distinct from the woods. Ms. Tennor suggested a more integrated and gradual transition between the woods and the developed area rather than going from all deciduous trees to a band of evergreens. Mr. Carney said the request from MHT sent from USACE was for a double row of trees through that area. Ms. Tennor asked if the proposal was for

evergreens because they were good screening material. Mr. Carney said yes. Mr. Reich said the proposal looked more like a single row of trees. Mr. Carney said there were some restrictions from the site in certain areas, because of water management and septic disposal areas.


Mr. Roth said instead of having deciduous forest and then a wall of evergreens to make a more gradual transition, perhaps adding American Hollies mixed in with the forest would soften the transition. Mr. Carney said hollies had been discussed but did not end up on the planting plan list. Mr. Roth said if this area was a typical forest conservation area, it would have native species and that might be a way to soften the transition to the deciduous forest.

The Commission discussed the appropriateness of the double row of evergreen plantings due to the vastness of the forest conservation easement. Mr. Taylor said he heard the Commissioners asking for a more staggered line of trees. Ms. Tennor said she did not like a line of evergreen trees along the deciduous forest as it added a hard edge between the established forest and the development. Mr. Roth suggested that the developers use more native trees to the buffer and remove the arborvitae and Norwegian spruce evergreens and consider adding American holly and Eastern red cedar trees. Mr. Reich suggested adding native juniper.

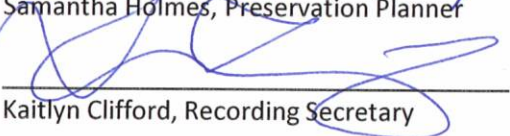
Mr. Shad moved to adjourn the meeting at 10:20 pm. Mr. Roth seconded. The motion was unanimously approved.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
Allan Shad, Chair

  
Beth Burgess, Executive Secretary

  
Samantha Holmes, Preservation Planner

  
Kaitlyn Clifford, Recording Secretary